

TREATY TIMES

INFORMATION AND VIEWS FROM PEOPLE SUPPORTING MAORI INDEPENDENCE

ISSUE 16

PUBLISHED BY AFIA BOX 1905 OTAUTAHU

DECEMBER 1993



BLOCKADE!

MATAKANA IS. - MAORI TAKE ON THE MULTINATIONALS

ALSO IN THIS ISSUE:

*** "WE WILL NOT BE MOVED"**
OCCUPATION AT WHANGAPOUA

*** FREE XANANA!**
EAST TIMORESE RESISTANCE

*** GREEN WITH ENVY**
WHANGANUI RIVER DISPUTE

*** NGAI TAMARAWAHO**
COLONIZATION TODAY

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PLUS: Support Ngati Haua - Special Appeal from Whangape Occupation

TREATY TIMES

BOX 1905 OTAUTAHU (CHCH)

Treaty Times is a newsletter published by Action For an Independent Aotearoa (AFIA) - a Pakeha organization committed to Maori independence.

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We welcome news and reports of upcoming events, struggles etc. and we love to get your cartoons, photos, stories, poems etc. as long as they are relevant to the Maori independence movement. Letters are also very welcome.

SUBSCRIPTIONS

Subscriptions to Treaty Times cost a minimum eight dollars for four issues. That is supposed to be a year's worth, but sometimes it may take longer to get four issues out. (We face restrictions of funding and time.)

Your eight dollar sub barely covers basic minimum costs of production, printing, mailing etc. only so please, if you can afford it, consider sending extra as a donation when you subscribe. It will be well spent!

**SEND CONTRIBUTIONS,
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AFIA
BOX 1905
OTAUTAHU
(Occupied Christchurch)

Please include your name and address, including your postal code if you know it.

Please make cheques out to AFIA.

WELCOME...

... to issue 16 for December 1993.

This issue is chock-full of reports from occupations and other struggles from all around occupied Aotearoa. The very existence of these struggles, not to mention the large number of them, gives the lie to the rumour that the Maori struggle has 'petered out' somewhat in the wake of Waitangi Tribunals and Sealord Deals.

Speaking of 'occupied Aotearoa', that will be the term we use to refer to this country from now on in 'Treaty Times'. Up until now, we've tended to use 'Aotearoa' when speaking of the re-emergent Maori nation, 'New Zealand' when speaking of the dominant Pakeha nation (especially when referring to the government), and the awkward 'Aotearoa/N.Z.' when referring to both, or to the country as a whole.

But this formula, although it recognizes the existence of two separate nations in this country, does not accurately reflect the power dynamic that operates between them. 'Occupied Aotearoa' does, and also has the advantage of being simpler.

The act of occupation though, can cut two ways. In this issue, you'll find lots of reports from areas where Maori people are reclaiming their land by occupying it. In doing so they are asserting their right to tino rangatiratanga by exercising it, rather than pleading to have it recognized through a court system that is heavily loaded in favour of the Crown and

Pakeha.

No doubt eventually, the whole country will become occupied by various hapu and iwi in struggle, and then people will put out newsletters calling for the return of Pakeha sovereignty in occupied New Zealand!

Until that happy day however, we hope you will continue to use the addresses and information we supply in this issue of Treaty Times to help support the actions that are taking place. Every little does help...

Finally, thanks must go to Christian World Service, Network Waitangi and Corso, who between them came up with enough money to send an AFIA reporter to the Bay of Plenty to record the struggles of Ngai Te Rangi of Matakana Island, Ngati Huarere of Whangapoua and Ngai Tamarawaho of Tauranga Moana which are recounted in this issue. Thanks are also due to Tame Iti, Tuhoe nationalist (and high-polling Mana Maori candidate for Eastern Maori in the elections). Tame arranged for our reporter to visit these struggles, took three days out of a very busy schedule to drive him around the island getting the stories and pictures, and provided much appreciated hospitality, company and assistance while the reporter was away from home. Nga mihi mahana ki a koe, e Tame, you made this issue possible!

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BLOCKADE!

MAORI VS MULTI-NATIONAL COMPANIES ON MATAKANA ISLAND

Matakana Island in Tauranga Harbour is almost completely covered in exotic forest. Various parts of the island's forest cover are at different stages of maturity. Given prudent management, the timber resource can be continuously and sustainably rotated and harvested forever. The trees that are currently being logged there were planted by the parents and grandparents of the present - mainly Maori - generation of Matakana Islanders.

In some ways, the economy of Matakana Island is like a tiny version of the New Zealand economy. In the past, the purpose of economic activity in New Zealand was ostensibly to provide for the needs and wants of the people. All that changed with the Rogernomics revolution which opened up the country's economy to

foreign exploitation. In a similar way, for several decades past, most of the logging on Matakana Island went to supply the small local mill, providing jobs for the island's inhabitants at both the forestry and timber producing ends of the process. About ten years ago, everything changed when the island's economy was opened up to exploitation by foreign multi-national companies, who began to export unprocessed logs.

The net effect of this major re-orientation of the island's economy has been as catastrophic for the people who live there as it has been for the country as a whole. These days, Matakana Island's small mill, never wildly profitable even in the good days, languishes because it is unable to match the soaring prices being fetched for unprocessed logs on the

international market, and therefore unable to buy logs in competition with the exporters. Mill employees have been laid off, and the mill is treading a very thin line between survival and bankruptcy.

Back in the forest there have been more layoffs, because the export market wants logs for pulping rather than for use as timber, which means that the labour intensive pruning and maintenance required for timber trees is no longer being done.

But the people of Matakana island are not allowing the economic juggernaut to roll over them completely unopposed. They started to fight back about ten years ago, when the first of the multinational logging companies, a Malaysian-based firm called London Pacific, began to put the squeeze on the

island's timber resource.

London Pacific bought rights to log the island from NZ Forest Products (NZFP), which in those days was one of the largest forestry companies in the country. London Pacific held a big meeting with the islanders, at which they promised all sorts of benefits would flow from their arrival on the island. They promised increased production at the mill with doubled shiftwork for the locals, a cultural centre, sporting facilities, and even a new industry growing potatoes and exporting them to Malaysia!

Hawata Paama, who lives on the island, reports that none of these promises were honoured.

What the company did do was rapidly increase the rate of logging. "At first, they were taking logs off on the export barge during the working day, seven until five, two logging trucks per trip" said Mr. Paama. "That built up until the barge was operating from five in the morning until eleven o'clock at night, and they were also using the other barge that services the island. That takes one fully laden truck. These barges were all working continuously."

In effect, London Pacific doubled and even trebled the logging rate. Although they didn't know it at the time, the islanders later discovered that the increased logging was to finance a scheduled eight million dollar instalment on a loan that London Pacific had taken out with NZFP to buy the resource. None of these logs were going through the local mill, and the islanders could see their forestry resource, their community's livelihood, being used up before their eyes.

Negotiations with the company proved futile, as London Pacific blandly assured the islanders that the resource was being sustainably logged. The islanders however, were not convinced. "They thought they

were dealing with a bunch of country bumpkins who didn't know what the heck they were doing" said Mr. Paama. "The fact was that our guys work in the bush and they know how fast it was getting used up, they could see exactly how long it would take to wipe out the resource."

The islanders took action. They dropped a log across a strategic road, preventing any further logs reaching the export dock. Logging ceased abruptly and London Pacific subsequently defaulted on the payment to NZFP.

As a result of the defaulted payment, NZFP called in receivers who spent the next few years finding another multinational to buy the resource rights to the island's forests. While the receivers were looking for foreign buyers, the islanders themselves formed a company and made a bid, also offering to match any other bid.

Their company, Te Kotukutuku, was set up by the Matakana Island Trust, with a representative from each of the island's hapu on the board of directors. The aim was to keep the profits on the island and use them to benefit the people. "We want to build a sports centre, and lots of other things that we really need on the island." In some ways, the aim is

similar to the whale watching enterprise at Kaikoura, where profits from the multi-million dollar business are ploughed back into the community, wiping out social problems and bringing financial independence to the Maori community.

Under the terms of the purchasing process, Te Kotukutuku was invited to view the asset. "While we were viewing it," recalls Hawata Paama, "the receivers were informing their employees that the resource had been sold to ITT Rayonier", a subsidiary of the giant American multinational responsible for the brutal 1975 military coup against Salvador Allende's Chilean government.

The interesting thing about the sale process was that as a foreign company, ITT Rayonier needed special government approval through the Overseas Investment Commission to have its bid accepted. In this case, approval was given, the government preferring to hand over export profits to a foreign multinational in preference to keeping jobs and profits in local hands.

When ITT Rayonier took over the logging, the London Pacific story began to repeat itself. The rate of logging went up even more dramatically, the company made bland assurances about sustainability



Protest Camp, Matakana Island



Logging came to an abrupt halt

and the islanders realised the need for drastic action. This time, two logs were dropped, blockading the strategic road for the second time. This time too, the protesting islanders supported their blockade with a march to the logs, after which they set up camp beside the barrier and settled in for a long occupation.

The company countered by taking legal action, but the protesters had done their homework. When a court order was served requiring them to move, they went to the police and pointed out that they were on private land, which made the court order unenforceable.

"The police stayed away from it, which was good" said Mr. Paama. "But we had contingency plans if they did try to move us. We had logging chains and we were going to chain ourselves to the barricade. Even our old kuia were saying they would do that!"

Besides this, the islanders had lodged an injunction in the name of the iwi, Ngai Te Rangi, with the court right at the beginning of the dispute challenging the decision of the Overseas Investment Commission to grant ITT Rayonier the right to buy into the resource. Eventually, the Court delivered its

decision and to everyone's surprise, it granted the islanders injunction.

As soon as the decision was out, the islanders noticed a marked change in the company's attitude.

"Before, the company was saying it wouldn't negotiate. The day after the decision they were ringing us up saying 'lets talk'." said Mr. Paama.

Now the islanders have signed a deal with the company that will eventually give them control over the resource, and which guarantees sustainable logging levels in the meantime.

Accordingly, the blockade was lifted over Labour Weekend.

No doubt this will have been welcomed with some relief down at the blockade itself. When I was there, the wind was blowing cold through the canvas and tarpaulin shelter and the rain was not helping. The workers and their families staffing the blockade were well set up however, and looked set for the long haul. The kids were cheerful, laughing and clowning for the camera.

These are not people who are used to protesting at the drop of a hat. In fact, at the time we visited, there were rumours that the blockade was to be visited by some well-known Maori activists from the mainland.

The rumours were being taken very grimly among those at the blockade, and there was even talk of violence should the activists try to take over the dispute.

"They're just radicals, trouble-makers" said one man, summing up the general attitude. He seemed to me to be reflecting the influence of the standard media presentation of Maori activists rather than personal experience of such people.

At the time they made these comments, it was pointed out to the protesting islanders that the blockade at Matakana Island was one of the most radical activities anyone had yet seen.

In contrast to the way they see other activists though, the islanders see their dispute as serious, affecting their own livelihoods.

Hawata Paama and the other islanders on Matakana don't regret the protest despite the hardship, the cold and the discomfort of the occupation.

"It united our community. It brought in the young people who hadn't been involved before. It's brought out the best in a lot of people in this community. The prospects for the future seem a hell of a lot brighter now than they did before."

"WE WILL NOT BE MOVED"

WHANGAPOUA -

NGATI HUARERE MOUNTS DETERMINED OCCUPATION

Whangapoua Inlet lies on the east coast of the Coromandel Peninsula. The shingle road from Coromandel winds dustily through patches of native bush interspersed with the serried ranks of mature pine forests which increasingly cover the steep hills and gullies of this once beautiful area. At the end of the shingle tourists, holidaymakers and the small population of Whangapoua residents make a left turn on to highway 25 before making the ten-minute drive to the township itself.

If instead they turned right, on the road south to Whitianga, they would almost immediately come upon a very strange sight. Around the first bend, they would drive over the words "WE WILL NOT BE MOVED", neatly painted in huge red letters on the tarseal. Looking up, they would see a rag-tag collection of buildings, daubed with slogans like "*Maori Land - NOT For Sale*". Finally, they would drive past a small, dome-shaped conglomeration of timber, canvas and tarpaulin, crouched precariously on the grass verge between two dilapidated cottages and the road.

This highly inauspicious looking tent provides a home to some of the twenty-two former residents of the adjacent buildings. The former residents, led by Val Phillips of Ngati Huarere, a hapu (sub tribe) of Ngati Pare, were evicted in January by the



Roadside Camp, Whangapoua

buildings' owner, Forestcorp.

Forestcorp does own the buildings, about that there is no argument. What *is* disputed in Whangapoua is who owns the land they stand on.

Val Phillips not only holds deeds to the land, but can also cite whakapapa (genealogy) going back several generations in the area, to a time before the Pakeha arrived in Aotearoa, as confirmation of her right to the land.

The 27 acre block on which the buildings stand forms part of a larger area of 8,000 acres which is currently under claim by Ngati Pare before the Waitangi Tribunal. Val Phillips asserts that Forestcorp never bought the land, nor is there any record of its confiscation by the Crown. Yet Forestcorp, which no longer wants

the land for forestry, is attempting to sell it before the case is heard by the Tribunal.

"Forestcorp have assured us that if the Tribunal recommends in our favour, we will get the land back" says Val Phillips, but she remains unconvinced. "What about the new law that stops the Tribunal from making recommendations concerning private land?"

The disputed 27 acre block forms a rough triangle which is widest by the road, where the houses are. The apex of the triangle connects with the sea at a point on the Whangapoua Inlet. Forestcorp and Landcorp have arranged to sell the block, plus the buildings, to a local Pakeha. But Val Phillips and the residents fear that the man they have 'sold' it to is acting as

a front for a much larger business concern which wants to develop a marine crayfish farming operation based on their land.

"We want the land to be a base for our people" says Val. "Most of the people here haven't got work or homes and they've come back here to get away from the rat race in Auckland city. We want to provide a base for them where they can get established on tribal land and start to feel that their lives matter again."

Recent searches through county records have revealed the existence of an urupa (cemetery) beneath the driveway and garden of the cottages beside the tent. Some of Val Phillips ancestors are buried there.

"When we found that out, I knew why the pull to stay on the land was so strong" says Val. "That's where I have been getting the kaha to keep this struggle going."

She and her supporters have needed lots of strength; the eviction process has gone on for almost a year now.

"We first got notice in November last year that they wanted us out" says Val. But some months prior to the eviction, they had lodged a statement of interest in the buildings with Forestcorp. They had heard that the buildings might be sold, and wanted the chance to make an offer for them. "But Forestcorp weren't interested" she reports. Instead, they sold the land out from underneath the houses and evicted the tenants.

In January, when the standard eviction notice had run out, the bailiffs arrived and put the group out, placing new locks on the doors. "We just took the locks off again and moved back in" says Val. Then the police were called in, the TV cameras arrived, and all hell broke loose. The residents were served with trespass notices and eventually they moved into the tent by the roadside.

They continued to use the houses as a base though, drawing water and electricity from them and using the facilities inside as they needed. The

police could not keep a 24 hour watch on the place, and there was little that Forestcorp could do to stop them.

Or was there?

After a few weeks, the fuses were removed from the meter boards. No problem, the group arranged for an electrician to replace them. Then the power company gave notice that they were cutting off the electricity. The group rang the company, enquired why they were doing it, and were told that Forestcorp had instructed them to cut off the power. "But the account is in our name" the residents said, pointing out that they had a contractual relationship with them, not Forestcorp. The company blustered that they had been informed the connection was 'unsafe', whereupon the group invited them to come out and inspect the site. "We're not silly" said Joe, one of the residents. "We only ran single extension cords out to the tent, double insulated and up off the ground. We have no wish to electrocute ourselves!" Nevertheless, Forestcorp managed somehow to get a court order, and the power was eventually cut off.

With Telecom, the story was repeated, the phone company arguing that the residents were trespassing. The group pointed out that they had never even been charged with trespass, much less convicted, and were in any case on their own land. The phones were still cut off.

"The chap at Telecom didn't want to cut us off" said Val, "but he said he had to. Same with the electricity. Forestcorp seems to be running the bloody country now."

After losing access to the electricity, phones and water from the houses, Val describes living conditions in the tent as "not very good, especially when you have gale force winds blowing the rain through the tarpaulin!"

Appeals to the government have been fruitless. Local MP Graeme

Lee's office returned a letter from the group across the bottom of which their Parliamentary representative had scrawled "not interested".

But the group are determined to continue their occupation until the battle with Forestcorp is won and the land has been returned to Ngati Pare Ngati Huarere.

In fact, it is this determination that strikes one most forcefully when talking to Val Phillips. Calmly, she tells of the latest attempt to intimidate her and the other residents, which involved Forestcorp confiscating all their personal possessions.

"They actually took all our gear, our personal possessions from inside the houses to Hamilton... for storage, they told the police. Now they're trying to confiscate it. So they're not only trying to take the land away from us, they're trying to take our few possessions as well. But I'm prepared to sacrifice that for my rights if need be."

A few days after our interview Val and the residents had to appear before the Tenancy Tribunal to argue the case for their possessions. They won, and the goods were returned.

But even if they had lost, the group would not have moved.

"They can screw us into the ground and take everything we've got, but we still won't give up" said Val. "That land is ours and we're going to have it, one way or the other."

Val Phillips and Ngati Huarere deserve your support. You can help them by:

Writing to the Minister of Forests (uncertain as we go to press):

Writing to Coromandel MP Graeme Lee, deploring his 'hands off' stance and demanding he support the occupation;

Sending donations of money and letters of support C/-

**Val Phillips
Opitonui Village
Highway 25
RD Coromandel**

BRIEFLY...

THE RETURN OF ANNA PENN...

Nursing Student From Hell Anna Penn, has returned to occupied Otautahi (Christchurch) to 'clear her name'. She's got a big job ahead of her! Ms. Penn hit the headlines earlier this year when she was thrown out of her nursing course for 'failing a hui'. She was not considered culturally safe to work in hospitals with sick people, because of the plain fact that she gave every impression of being a white supremacist. Well, what would you call someone who made clenched fist salutes and shouted "*we are white, we are supreme*" during the course of a hui designed to test her cultural sensitivity (apart from stupid)?!

MAORI NATIONALIST POLLS WELL IN EASTERN MAORI

Tuhoe nationalist Tame Iti stood for election in Eastern Maori under the banner of Mana Maori (Eva Rickard's new political party). Several other political activists also stood for Mana Maori. In fact, Eva once boasted on Radio NZ that all her candidates had done time in prison for the struggle.

Tame's campaign was a little different from other aspiring politicians though; he went out and told people he didn't want their vote!

"Sending Tame Iti to Parliament isn't going to change anything" he told his campaign meetings. "The power to change things is in *your* hands." Tame's campaign reflected this message. He took to the road, touring his vast electorate with three speakers - one each from the disputes at Matakana Island and Whangapoua and one from Ngai Tamarawaho of Tauranga Moana. Tame surrendered the speaker's rostrum to these people to tell the stories of their disputes first hand.

This rather novel style of campaigning seemed to win him some friends among the voters. Tame's election night total of votes came to 1062, not enough to win the seat but three times as many as any other Mana Maori candidate, including Eva Rickard herself.

Tame said before the election that if by some strange chance he was elected, he would not take up his seat in Parliament, but would instead set up a tent in Tuhoe for his constituents. But throughout his campaign, he stressed that he didn't want people to vote for him.

"If you want to support what I'm standing for, don't vote. Get out on the street. That's where your power lies." Referring to the four thousand votes he needed to take the seat, he said "four thousand people voting for Tame Iti to go to Parliament is a waste of energy. But four thousand people out on the street demonstrating for mana Maori motuhake (the concept, not the political party -Ed.) now *that's* a strong message!"

Given his strong showing this time, it is interesting to speculate what might happen next election. Maybe Guy Fawkes will soon lose his uniqueness as the only man ever to enter Parliament with honest intentions!

BELAU GOES UNDER

Pacific watchers will have been saddened by the news that Belau has finally succumbed to U.S. pressure to adopt a 'Compact of Free Association' in place of the U.S. Trusteeship under which Belau has been ruled up to now. But how democratic was the vote that decided the issue? The first thing to note is that this was the umpteenth referendum on the compact, the rest all having failed to achieve the required two-thirds ma-

jority to pass. That requirement was changed in Belau's last elections (1992) and the latest in this long line of referenda has at last delivered the result the U.S. wanted. Which just goes to show: "If at first you don't succeed - democratically..."

So now a majority of Belauans has voted to allow the US to set up military bases anywhere on their island at any time, for a period of fifty years, and the U.S. has got replacement sites for its lost Philippines bases.

But hang on. Out of approx. 11,000 eligible voters on Belau, only 5,200 actually voted in the referendum. Of those, only 3,200 voted in favour. That is not a majority of Belauans, that is only 3,200 out of 11,000. Seems the U.S. tactics of threats, carrots, bullying and even assassinations finally wore down the population into a state of blinding apathy. Score another one for democracy, truth, justice and the American way!

AOTEAROA PUTEA APPEAL

The Aotearoa Putea appeal for 1993 will be launched this month. The Putea (fund) was set up in 1984 to fund Maori initiatives that would contribute to the struggle for Maori independence. So far the Putea has funded all sorts of projects, from building a steel-girdered bridge in Porangahau to setting up an iwi radio station in the Hokianga. Every year the public are offered a chance to contribute to the work of the Putea through the Appeal.

During the rest of the year, people who want to support the Putea can contribute \$5 a month (\$1.25 a week) by automatic payment from their bank accounts.

You can send your donation, or make enquiries about the Putea, to

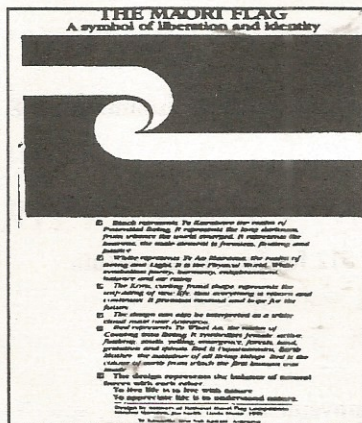
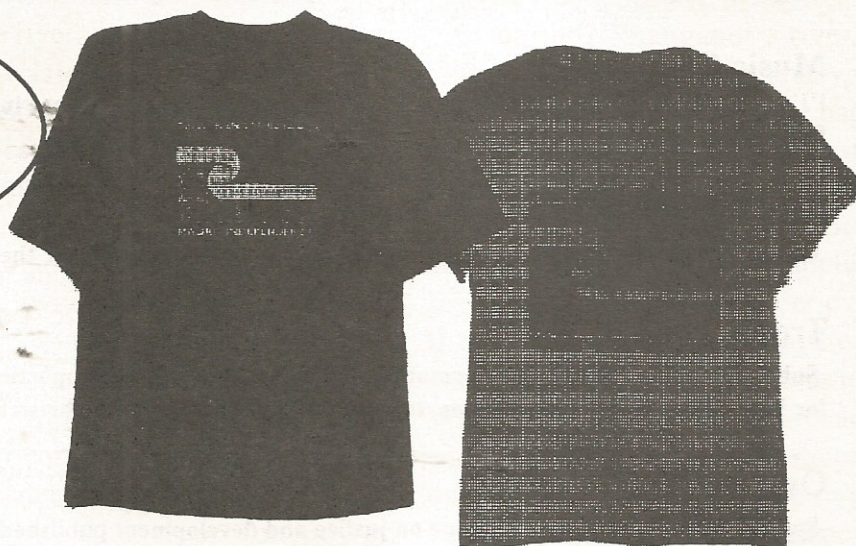
Aotearoa Appeal 1993

**C/- Corso,
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Otautahi.**

The Resource Group and AFIA Sales List

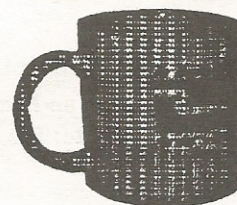
Tino Rangatiratanga T-shirts
In black or white 100% cotton.
Sizes: 4, 6, 8, 10 child's black or
white; sm-XXXL white, sm-
XXXXXL black adults.

Cost: \$18 adults; \$10 child's



Mugs

White china with Maori flag and the words
"Tino rangatiratanga-not just a storm in a
teacup". Cost: \$6



Maori Flag Posters

Red, black and white with explanation of what each colour represents. 46 x 59 cm. Cost: \$5

Fabric Maori Flags

90 x 60cm cotton flag. Cost: \$15. Larger flags made to order.

Miniature Flags

Ideal for children, a miniature cloth Maori flag (4 in x 2 in) on a stick. Cost: \$3.50

Stickers

Glossy Maori flag stickers. Suitable for sticking on schoolbooks, letters, envelopes, foreheads (!) etc.

Cost: \$15 for box of 500; \$5 for strip of 100.

"Indonesia out of East Timor" stickers with East Timor Flag design. Cost: \$1.50 for strip of 8

Earrings

Glossy replica of Maori flag on non-allergenic wire. 5cm long-very elegant. Cost: \$6 pair or \$3 single.

Postcards

Three designs (see below). Cost: \$1 each. Minimum mail order of 5.

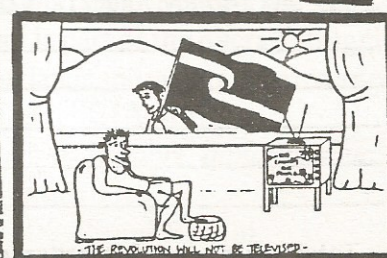
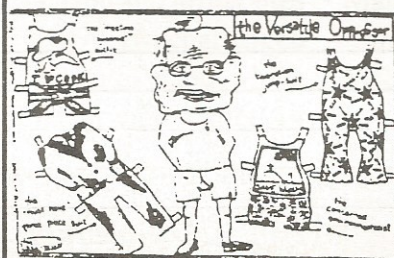
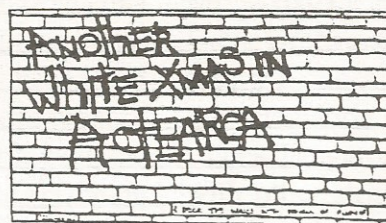
The Resource Group is a group of six Pakeha women. Our aim is to support and promote the Maori independence struggle through our craft.

Most of our products incorporate the Maori flag design, as we want to increase its visibility.

All profits go to the Aotearoa Puutea, as this is a practical means of supporting Maori development.

We see the Resource Group's purpose as being threefold:

- financial resources for the Puutea
- making the independence struggle and its symbols more visible
- providing alternative "souvenirs" for tourists, representatives from Aotearoa, and travellers who support Maori independence.



Postcards - "Another White Xmas in Aotearoa," "The Versatile Oppressor" and "The Revolution will not be Televised".

AFIA (Action For an Independent Aotearoa) is a non-Maori organisation committed to Maori independence.

Greeting cards

Glossy Maori Flag design with the words "The Maori Flag-A Symbol of liberation and identity" (outside) and "Tino rangatiratanga-Maori independence" (inside). Ideal for any occasion. Cost: \$5 for pack of 5.

Music Cassettes

“I’m still fighting” by Agio Pereira. East Timorese songs of resistance in English and Portuguese. Powerful, easy listening folk music. Cost \$16

Nga Tamariki O Te Kohu Poster

Colour poster detailing the struggle of Tuhoe people for control over their lives, lands and river. 40 x 59cm. Cost \$5.

Treaty Times

Subscribe to a magazine of information and views from people supporting Maori Independence. Cost: A minimum of \$8 for four issues, donations welcome, to AFIA, Box 1905, Otautahi/Christchurch.

Overview

Subscribe to a quarterly magazine on justice and development published by Corso. Cost: \$12 for four issues within Aotearoa, \$20 overseas and institutions, to Overview, Box 1905, Otautahi/Christchurch.

Pacific News Bulletin

Monthly magazine on Pacific justice and independence struggles published for the NFIP movement.
To subscribe write to: PO Box 489, Petersham, NSW 2049, Australia.

Saoirse

A bi-monthly magazine published by Information On Ireland, full of news and information on the Irish struggle for independence and freedom. Subscribe (\$10/year) by writing to Box 9579 Te Whanganui A Tara/Wellington.

Order Form

Mail this order form and payment to:

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GREEN - WITH ENVY...

CONSERVATION GROUPS MUDDY WATERS IN WHANGANUI RIVER STRUGGLE

"We are not just another interest group like Forest and Bird. We have been kaitiaki of the river for hundreds of years and many generations - long before the coming of the pakeha..."
(Nick Tangaroa, spokesperson for the Whanganui River Maori Trust Board)

After over a hundred years of patient negotiation in the face of a history of theft by the Crown, the struggle of local iwi for rangatiratanga over the management and use of the Whanganui river has led them to make a strong stand to protect what has always been theirs, and to stop the desecration of their land and river by government agencies, which in recent times have included the Department of Conservation, and interest groups like the Royal Forest and Bird Society.

The river is a foodbasket and has great spiritual significance for Whanganui iwi. Local iwi have a long history of legal struggles with the Crown to get their lands and river back. But every time the iwi won in Court, the Crown passed further legislation to dispossess local iwi of huge tracts of land and river. The Railways Act and the 1891 Coalmines Act were used by the government to take and occupy land. The Crown was driven by settlers land greed, not any policy to use it for a railway. In the 1880's the

Crown and pakeha settlers began clearing the river for steamers, destroying much of the food resources in the river. In 1913 part of the river bank was taken for "scenic reserves". In 1986 the Whanganui National Park was established, accompanied by guarantees of jobs for local Maori. 153 jobs were created, but hardly any Maori received employment. Local iwi continued to be denied a say over their resources and the Crown's intrusive policies continued. In 1990, local iwi were forced to take Electricorp to court over the effects on water levels and fish life of diverting the river for power generation. The area is subject to Waitangi Tribunal claims and urupa (burial) and pa sites are widespread.

Since September 15th, members of Te Whanau o Tieke have occupied a DOC hut at Tieke. Tieke is a block of land where there was a kainga with a marae. After 1906, with the death of rangatira Te Rangihuatau who had fought the Crown over encroachment on Maori land which was never sold, a once thriving community came to an end. Despite the usual blustering of the government over the supposed "sale" of the land, they have never shown any proof of sale. Local iwi know only too well that the land and the river belongs to them, not the Crown. The "occupation" of the hut at Tieke is really the re-establishment of the tangata whenua on land which was never given away. A marae has been established and many groups have arrived in support.

DOC has built a lot of huts in the area. Some huts, toilets and a camping sign are on wahi tapu and urupa sites by the river. In 1990, iwi challenged DOC over the hut at Puketapu, which was on a burial ground. After 14 months of stalling, DOC finally removed the hut when iwi made it clear that they would take matters into their own hands if necessary.

Through user charges DOC takes money for the use of a property

which does not belong to them. The Whanganui, Ruapehu and Taranaki District Councils have the power to control the Whanganui river - directly contradicting the Treaty of Waitangi which guarantees the hapu rangatiratanga over their forests, rivers and fisheries.

The Royal Forest and Bird Protection Society recently applied for a water conservation order over the Whanganui River without consulting iwi. Although it was not Whanganui iwi that cut the bush and endangered wildlife, or put chemicals on the land to run off into the river, Forest and Bird has sought to remove the iwi as the guardians of their environment, setting themselves up instead as self-appointed caretakers.

"Your application for a Water Conservation Order completely tramples on the mana of our iwi.... Calling a public meeting before consultation with the tangata whenua, who have been the owners and guardians of the Whanganui River hundreds of years before most of you or your ancestors ever stepped foot here, shows your disrespect and total disregard for the status of tangata whenua of the Whanganui iwi." said Nick Tangaroa. Keith Chappell, on behalf of Forest and Bird, replied "If every group had to consult before reaching decisions then no decisions would ever be made".

The Minister For Environment, Mr Marshall and Justice Minister Doug Graham have both stated that they will only discuss the issue when the occupation at Tieke ends.

Nick Tangaroa sees clear parallels with other struggles at Whangape, Matakana Island, Maioro, and Tuhua. "Ours is part of the overall struggle for our lands and taonga to be returned to us as te iwi Maori".

*Letters of support, donations etc.
can be sent to*

**Rangi Bristol,
Te Whanau o Tieke,
Ohakune Rd
Raetihi**

NGAI TAMARAWAHO: EN ROUTE TO TRIBAL GENOCIDE



He Toa o te Whenua a Ngai Tamarawaho

Tauranga is one of the fastest growing areas in occupied Aotearoa. Flash houses, flash cars, flash shops. But hidden from view among the flashy, big money developments, there are areas of grinding poverty.

Poverty in Tauranga is not just the standard poverty that is an inevitable part of capitalism elsewhere in the world. There is a form of poverty in Tauranga that is not distributed randomly or evenly among the about 80% of the population who must become poor to allow the other 20% to get rich. In Tauranga, as elsewhere in occupied Aotearoa, there is a form of deliberately created poverty - poverty that has been generated by targeting one sector of society and systematically taking from them the resources that create economic wealth, at the same time denying them access to any form of redress or restorative action. This process is called colonization.

In Tauranga, Ngai Tamarawaho, a hapu (sub-tribe) of Ngati Ranginui, are on the sharp end of the colonization process.

Ngati Ranginui has lived within

their tribal boundary since the landing of Takitimu waka 600 years ago. They have never moved away or sought conquest of other tribal lands outside their boundaries. When they looked inland from their mountain *Mauao*, all the land they saw was theirs. They have lived traditionally on their ancestral land and have faced the juggernaut of tribal genocide for the past 140 years.

Now, Mauao is known as "The Mount" and the Waikareao River carries industrial pollution down into the harbour.

Native reservations are not unique to the American Indians. In a violent landgrab by Pakeha settlers, Ngai Tamarawaho were 'relocated' from their papakainga, which was within the town's boundaries, to reclaim 12 acres of land from the tidal swamp of the Waikareao Estuary. Today, all around them, Pakeha people grow rich on what was once Ngai Tamarawaho land.

But it doesn't stop there. The process of colonization that has reduced Ngai Tamarawaho to poverty in a land of plenty continues to take

the little they have left and give it to the Pakeha.

Immediately following dispossession of their ancestral land in 1864, Ngai Tamarawaho suffered through a period of loss and not belonging. Ahi Kaa remained strong in the descendants of those who fought in the battle of Pukehinahina (Gate Pa) and those who were massacred in the battle at Te Ranga. These descendants are Ngati Matepu (Death By the Gun), who are recognized as a hapu within Ngai Tamarawaho. It is these people who have become the Gatekeepers that hold the political doors open.

Ngai Tamarawaho have resisted since their land was first threatened, and have continued to resist ever since. In 1987 the tribe planted a pouwhenua in the ground outside the disused Town Hall in the central city. The land on which the building stood was under claim before the Waitangi Tribunal. In pre-Pakeha times, the pouwhenua was the legal method of asserting land ownership. Ngai Tamarawaho then occupied the building, but were forcibly ejected.

The building itself was demolished over the strenuous objections of the tribe, who wanted to use it as a community and cultural centre once the issue of ownership had been settled by the Tribunal.

The City Council had other plans, and began to build a new Civic Centre and shopping mall on the disputed site. The Council speeded up construction when Ngai Tamarawaho lodged an application for an injunction with the court that would have stopped work on the site. Construction looked set to finish on the day the court was to hear the application, which would have rendered the court decision superfluous. In desperation, five young men from the tribe occupied the nearly completed building, demanding that the Council meet their elders and negotiate. The Council panicked and sent in the cops, who grossly over-reacted. The five men suffered serious burns as the result of a particularly brutal eviction that went tragically wrong when a police dog knocked a lit cigarette into a bucket of paint thinners inside the building, setting it alight.

On top of this, the five men were afterwards convicted of arson and sentenced to up to 18 months in prison for the peaceful occupation of a building on their own land.

And still, it doesn't stop there. Ngai Tamarawaho have never relinquished title to their land to anyone. Land theft was rife in Tauranga, the Crown procuring land title simply by announcing Crown ownership in the *Gazette*. The surrounding sea and its abundance of food was of no financial interest to the Pakeha during this time. Under Pakeha law, Ngai Tamarawaho lost title to their land, but they still had access to the seashore around the estuary and the kaimoana (seafood) around their coast.

The Tauranga City Council put a stop to all that with a little roading

scheme they called "Route P".

Thirty years ago a town planner advised the City Council to prepare for the projected growth of Tauranga city. More land was required to accommodate the potential pot of gold. Modern day legal land confiscations were imposed under the label of "the national interest".

Routes P and J are the result. They are the tools through which tribal genocide rears its ugly head today.

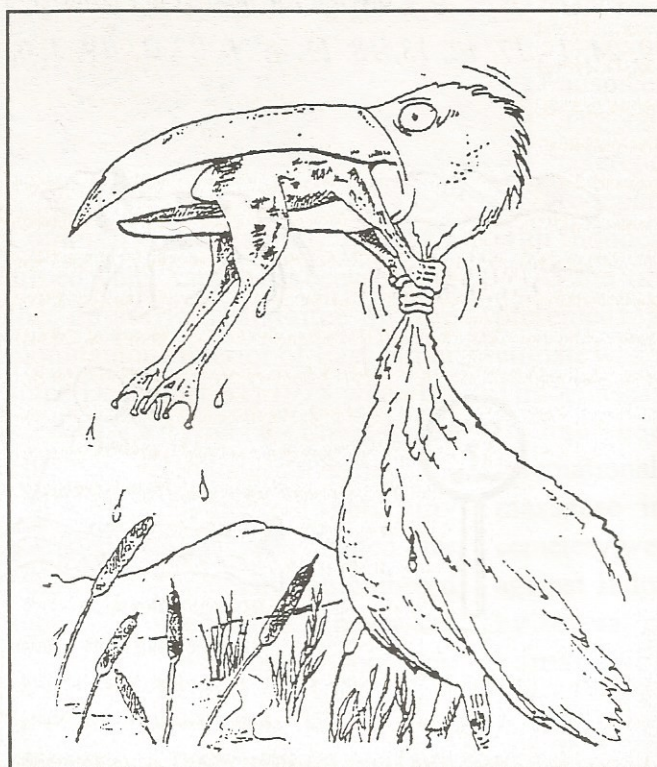
Route P runs around the eastern shore of the Waikareao estuary. It is a multi-lane freeway designed to get people to the beach without the bother of going through town. It hugs the shoreline so closely that it has in fact become the shore. Where once the sea lapped gently at sandy, muddy beaches from which Ngai Tamarawaho gathered shellfish, it now slaps abruptly at a huge grey concrete wall while cars and trucks speed along above.

Ngai Tamarawaho's efforts to stop Route P were directed through the legal and legislative processes. Both Routes form part of the subject of claim Wai 86 before the Waitangi Tribunal. The Tribunal itself exists as a result of pressure exerted by Maori seeking redress for wrongful confiscations and the enforced

poverty which resulted from those confiscations. Under the Tribunal process, Ngai Tamarawaho has two options: a) to enter into direct, facilitated negotiations with the City Council, and b) to wait for a Tribunal hearing.

The negotiation process was treated with contempt by the Council, who assumed throughout that they would get their way and continued building during negotiations with the tribe. They completed Route P, and scheduled a grand opening. The role they offered to Ngai Tamarawaho kaumatua was limited to giving a 'blessing' for those that travelled on the expressway. Of course, this request caused disharmony amongst the kaumatua, and the Pakeha just sat back and watched.

And it doesn't stop even there. With the completion of Route P, the City Council is stirring up public pressure for Route J to be started. This route will bypass the city and will alleviate traffic buildup on the sinking Tauranga Harbour Bridge. Transit NZ are calling for Ngai Tamarawaho to come to the table to enter into yet another process of negotiation to legalise yet another land confiscation - Route J. Ngai Tamarawaho however are refusing, (over)



**KA
WHAWHA
TONU!**

**NEVER
EVER
GIVE
UP!**

saying "facilitate the completion of negotiations for Route P first!"

As mentioned at the outset, Tauranga is one of the fastest growing areas in the country. Land is expensive and the price is rocketing as more and more flash houses go up on smaller and smaller sections. To build its expressway, the Council needs land to put it on. This involves paying compensation to the land's erstwhile owners. The way section prices are going up in Tauranga, not to mention the cost of replacing the flash houses on these sections, it's little wonder the Council baulked at the costs of putting the expressway through a white suburb. It would have been uneconomic to proceed with Route J if they had.

Unfortunately for Ngai Tamarawaho, the Council saw a solution. There is a small area of Maori land just towards the end of Route P, one of the last little pieces of land remaining to the tribe. There are no flash houses on it but there is an urupa (cemetery). That doesn't

bother the Council, they are interested in the future, not the past.

But it bothers Ngai Tamarawaho, who have already renamed the area the "Hornet's Nest" in anticipation of the fight they are going to have to keep it. This time there will be no tribunals, planning hearings, court cases and meetings for the tribe. They haven't got the money in the first place and it would be a waste of resources even if they did.

Those Pakeha on the Council who think Ngai Tamarawaho 'learned a lesson' from the occupation of the Civic Centre are about to get a nasty shock. Already members of the tribe have quietly moved onto the Hornet's Nest, asserting their right to exercise tino rangatiratanga over their land by simply exercising it.

For now, they are consolidating their position, waiting for the first bulldozer to try and push them from their land. They have nothing - no resources, not even running water or electricity. But they are determined to make a stand, whether they get

help from a seemingly uninterested Pakeha population or not.

And this time - they are determined - it really does stop here.

You can support Ngai Tamarawaho by:

Writing to the Tauranga City Council, Private Bag, Tauranga. Object to their treatment of the tribe - leave them in no doubt of your opinion of their tactics.

It's probably not worth writing to their MP, Winston Peters. He believes that all Maori people need to do to get on in occupied Aotearoa is become just like Pakeha. Still, he needs to know that the tribe does have support, so maybe it's worth it after all. You decide.

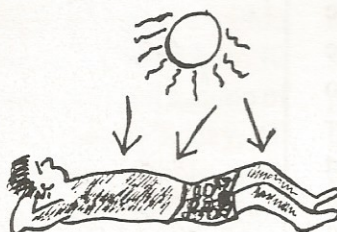
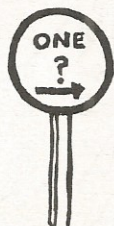
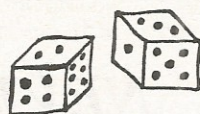
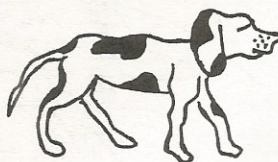
Writing to Ngai Tamarawaho themselves. They could use some money, but just knowing you support them is great for morale too. Write C/-

**Parihaka Kohu-Fry
9 Wilkinson Rd.
Tauranga.**

PUZZLE

To crack the code, write down the names of the things pictured, numbering the letters from 1 to 24 in order from left to right. Then write the letters according to the code given to reveal AFIA's advice for next year! (Answers: Bottom of back cover.)

CODE: 15, 9, 24, 1 - 17, 12, 13, 18, 11, 4, 20, 22, 2 - 19, 3, 6, 14,, 5, 7, 10, 16, - 8, 23, 21



LIFE SENTENCE FOR FRETILIN LEADER XANANA GUSMAO

The capture of "Xanana" Gusmao, leader of East Timor's Fretilin resistance, in November last year was followed by his trial in Dili, East Timor's capital, in the early part of 1993. News of Xanana's capture and subsequent trial, resulting in a sentence of life imprisonment, has rocked both the East Timorese resistance and the international solidarity movements working for East Timor's independence, but it has also had the effect of refocussing the spotlight of international attention on this troubled corner of the world.

East Timor is a tiny island 400 kms north west of Darwin, Australia. It was brutally invaded by Indonesia on December 7 1975, and has been the site of a bitter, bloody struggle between the indigenous Maubere resistance and the Indonesian military ever since. During the seventeen years of Indonesian occupation, it is conservatively estimated that at least 200,000 Timorese out of a total population of about 600,000 have been killed.

Jose "Xanana" Gusmao is the charismatic leader of the National Council of Maubere Resistance (CNRM), the umbrella group which unites East Timor's pro-independence parties in their struggle against Indonesia's occupation of East Timor. As Supreme



Commander of Falintil, CNRM's armed wing, Xanana has been leading the guerrilla resistance in the mountainous interior of East Timor since December 31, 1978 when his predecessor, Nicolao Lobato was killed by the Indonesian army.

Although the relatively tiny guerrilla force Xanana headed was (and still is) hopelessly outnumbered and ill-equipped, and has never had any serious assistance from any outside power, nevertheless it has held the Indonesian military - fourth

largest in the world and solidly backed by both the US and Australia - to a stalemate which neither side can hope to win. Xanana, as leader and strategist of the military campaign can take much of the credit for this astonishing feat of arms, but he is also a man of peace, a person who has always worked hard towards a negotiated settlement of the conflict in East Timor.

A few months before his capture, Xanana had presented yet another peace plan to the U.N. through CNRM's diplomatic representative Jose Ramos Horta. Under this plan, he proposed peace talks between East Timorese representatives, the Indonesians and Portugal, which is still the UN-recognized administering power in East Timor, under the auspices of the United Nations. The talks were to lead to a referendum in East Timor on independence vs integration with Indonesia.

At the time the peace plan was presented to the UN, the international climate was, if not favourable to East Timor, at least less unfavourable than it had been for some time. International memories of the 1991 massacre in Dili's Santa Cruz cemetery were still fresh and action against Indonesia was being taken by several countries in support of human rights in East Timor. Indonesian Foreign Minister Ali Alatas at this time described East

Indonesian Foreign Minister Ali Alatas at this time described East Timor as a "stone in the shoe" of Indonesian foreign policy, and there were signs that after a seventeen year military stalemate, the Indonesians were at last looking for a face-saving way to pull out of East Timor. But while the doves in the Indonesian cabinet were looking for a way out, the hawks pressed for one last chance to crush the resistance once and for all. They got it in the form of a massive military operation called "Operasi Tuntas".

Operasi Tuntas translates roughly as "Operation Thoroughgoing" or "Complete". It was launched in the second half of 1992 as thousands of Indonesian troops joined the thousands already in East Timor. The normal climate of fear and

repression intensified many times as atrocities and massacres - already common before Operasi Tuntas - became everyday occurrences. Twenty thousand Indonesian troops combed the jungle in search of guerrillas. In the towns and villages, thousands of East Timorese were rounded up, arrested, detained, tortured and/or killed. Friends, relatives, former co-workers and even mere acquaintances of Xanana were singled out for special attention, since one of the main aims of Operasi Tuntas was the capture of the charismatic and hitherto elusive guerrilla leader.

On November 20, the brutal tactics paid off when as a result of information gained by slashing the ears of one unfortunate detainee with a razor, then breaking both his arms and pulling out all his fingernails and toenails, the guerrilla leader who

had spectacularly avoided capture for seventeen years was found under a house in Dili and taken into Indonesian custody at gunpoint.

In the first week of his capture, Xanana was extensively tortured for military information useful to the Indonesians. During this time, he was shown on East Timorese television renouncing the struggle, accepting integration with Indonesia and urging his erstwhile comrades to lay down their arms and surrender. This clumsy and obvious manoeuvre by the Indonesians failed to result in any surrenders locally and backfired

itself was conducted in Indonesian, which Xanana neither speaks nor understands more than a few words of. Witnesses for the defence could not be found because of intimidation and threats from the military. Prosecution witnesses were often detainees vulnerable to intimidation and torture if they did not get their 'lines' right in court. During the course of the trial one prosecution witness, Saturnino Da Costa Belo refused to give evidence against Xanana when called to the stand. Instead he raised his fist in open defiance and began shouting

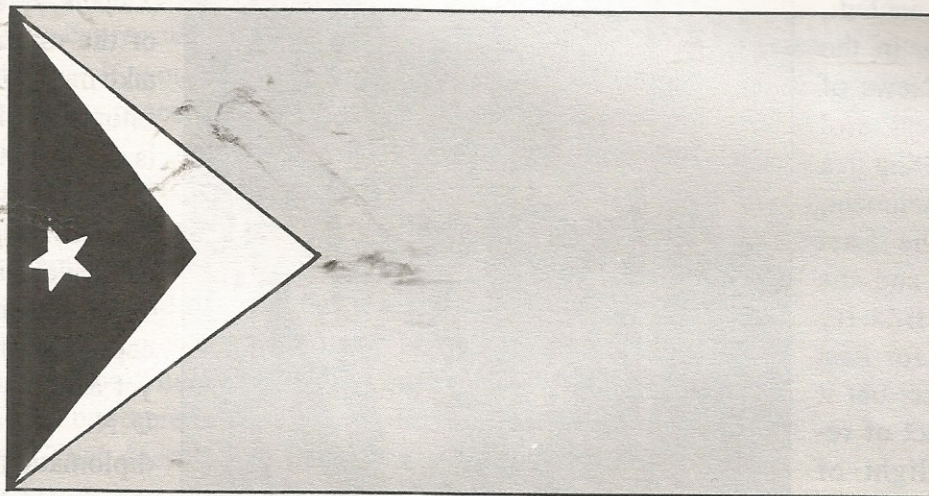
independence slogans, including "Viva Xanana!".

He was hastily bundled, still shouting, from the court and "examined" by an Indonesian army doctor. Within half an hour, he was declared "insane", and unfit to testify.

Incredibly, the

entire "verbatim text" of his interview with the police after being detained was then presented to the court in lieu of his evidence. Even more incredibly, it was accepted as evidence. One can only guess at the torture and threats that produced this evidence in the first place, but it is fairly safe to assume it will have been slight compared to what will almost certainly have happened to him afterwards.

The trial continued in this fashion until the prosecution wound up on April 27. The date for hearing Xanana's defence was set down for May 5. On the day, the court refused to hear the defence in Portuguese, insisting on Indonesian instead. Xanana countered by stating he was not Indonesian, contrary to the statement he had made under torture during the first week of his captivity, and fired his lawyer in open court.



East Timor's Independence Flag

internationally when, far from taking it at face value as the Indonesian military had expected, the footage simply added fuel to international fears about the extent of torture and intimidation being applied to achieve such a seemingly remarkable turnaround in Xanana's views. Nevertheless, some of the statements Xanana made at this time were later produced in evidence at his trial.

THE TRIAL OF XANANA GUSMAO

By any standards, Xanana's trial was very far from fair or impartial. Xanana's lawyer, Sudjono, was appointed for him by the Indonesian military in contravention of his express wish to be represented by the "LBH" - an Indonesian-based group of human rights lawyers. The trial

The trial was adjourned in uproar until May 17. On that day, Xanana began to read his Defence Plea in Portuguese and it was then translated into Indonesian for the judges. Two minutes after beginning to read, Xanana had totally demolished the myth that he accepted East Timor's integration with Indonesia, and was moving not only to expose the crooked dealings behind the scenes of his trial, but also to challenge the very basis of Indonesia's rule in East Timor. He was not allowed to get that far. Four pages into the 28 page document the presiding judge, Hironymus Godang, stopped Xanana from reading, claiming his arguments were political rather than legal, and the trial ended there. Four days later, on May 21, the judges announced that Xanana would be sentenced to life in an Indonesian prison.

Xanana's Defence Plea was smuggled out of prison. In this remarkable document, Xanana challenges the right of the Indonesians to try him, since under international law, Indonesia is not recognized as the legitimate power in East Timor and has no right of jurisdiction there. Xanana is the legitimate head of a legitimate national resistance movement against the invasion and occupation of his country by a hostile foreign power. As such, he is covered by the Geneva Convention and if he was to be tried at all, it should have been in an international court under the terms and conditions of the Geneva Convention.

But that would not have suited the Indonesians, who have consistently and largely successfully tried to keep international attention deflected from their brutal invasion and continued military occupation of East Timor. Ironically, the capture of Xanana Gusmao, so long sought by the Indonesians, is proving to be a major headache for them. Despite their best efforts, the trial made headlines around the world (except here in

occupied Aotearoa it seems!) and international opprobrium has followed the verdict. The pressure has been such that the Indonesian government eventually stepped in and commuted the life sentence to twenty years, but this has not surprisingly failed to quell the outcry.

In the wake of the trial, the US Congress has voted to cut military aid to Indonesia, and for the first time ever, the UN Human Rights Commission's 22 member states earlier this year delivered a stinging rebuke to Indonesia in response to events in East Timor.

On the other hand, the resistance, although it has sustained a serious blow, is not crushed, and conditions in East Timor continue to guarantee a steady supply of new recruits for the guerrillas. Despite the best that the hardliners who promoted Operasi Tuntas could do, East Timor will continue to be a stone in the shoe for Indonesia.

The best hope for the East Timorese now seems to lie with international pressure. As Xanana himself said in his Defence Plea, "The problem of East Timor is a problem for the international community to solve".

NZ GOVT TURNS BLIND EYE

Here in occupied Aotearoa, the New Zealand government continues to turn a blind eye to human rights abuses in East Timor, and even goes so far as to give de facto support to Indonesia's activities in East Timor in international fora such as the UN. Foreign Minister Don McKinnon justifies his government's stand by claiming that the situation in East Timor is "regrettable, but irreversible", but it is plain that the importance of this country's burgeoning trade with Indonesia far outweighs the government's concern for human rights, not to mention the principle of self-determination which is at issue there.

This situation is hypothetically

vulnerable to change as a result of public pressure being brought to bear on the New Zealand government, but in reality the public remain completely in the dark about events in East Timor, since there seems to be a near-complete media blackout on the issue. Solidarity groups in occupied Aotearoa continually feed information from sources close to the conflict to news organizations, then search in vain for any results in 'the news'. Despite the desperate situation in East Timor, despite its proximity to this country and despite the fact that Australian news media give prominence to East Timor, the New Zealand mass media remain curiously silent.

Until that changes, solidarity groups will have an uphill battle informing the public about East Timor, and mobilising public opposition to the NZ government's craven response to the whole issue.

BOYCOTT BALI CAMPAIGN

But that battle has been joined with the launching of a campaign to boycott Bali as a tourist destination until the situation in East Timor has been resolved. Bali is not only the best known destination in Indonesia, but also the headquarters for the Indonesian government's military operations in East Timor. Operasi Tuntas was conceived, hatched and executed from Bali. Interestingly enough, the so-called Balibo Declaration, the pretext for the original invasion in 1975, was also composed and signed in the Bali Beach Hotel, although it purported to come from Balibo in East Timor.

You can assist in the campaign to "Free Xanana, Free East Timor, Boycott Bali" by contacting the East Timor Talks Campaign, Box 1905 Otautahi (occupied Christchurch), or the solidarity movements in any of the main centres (addresses on application to the above address).

MABO -

Aboriginal Land In Aboriginal Hands?

Until June 1992, under the legal doctrine of 'terra nullius' in Australian law, Aboriginal people did not exist. That is, the Crown claimed the right to rule in Australia by asserting that no-one was living there when the British first arrived.

In what was heralded as a victory for Aboriginal Australians, the Australian High Court decided in a case brought by Torres Strait islander Eddie Mabo that terra nullius be overturned. They recognised for the first time that Aboriginal people had prior title to all of Australia. However, as an agent of a colonising power, the court went on to define this, under the common law doctrine of aboriginal title. They said that indigenous peoples do have native title to their land but that title exists at the whim of the sovereign, i.e. the Crown, until the sovereign extinguishes the right. A day after land claims were made in the Northern Territory, the NT government passed a bill extinguishing aboriginal title. Those aboriginal people in the Northern Territory then had no claim.

So although a court may uphold an aboriginal claim to a piece of land, the government can simply extinguish the claim by passing a law.

The Federal Government's recent response to the Mabo decision has been to make a law which defines where and how native title will apply. Aboriginal people were not properly consulted about this proposal, and there has been no negotiation. After all of the media talk of Mabo being a "landmark" decision, and the

hysterical reaction of some sectors of white Australia, Aboriginal people must continue to fight just as hard for their rights even though the High Court has agreed that these rights exist in common law. Many Aboriginal communities feel they have been sold out in favour of vested interests who have managed to hijack the Mabo debate. Pressure from large mining companies and farmers, who are not prepared to take the time and effort to negotiate appropriate agreements with Aboriginal land owners, has led to the Federal Government falling over itself to extinguish native title to pastoral leases.

The Mabo debate has "revealed the red hot underbelly of racism, bigotry and prejudice" in Australia, according to Aboriginal Social Justice Commissioner Mick Dodson.

The proposed legislation will confirm widely held beliefs that justice will not be delivered to indigenous peoples by the courts or other agencies of the Crown. The proposals give the narrowest possible room for native title to operate. Wherever competition exists between Aboriginal and non-Aboriginal interests, the latter are overridden. Native titles are extinguished in cases where they could clearly coexist with granted titles (e.g. tourist leases) or are able to be revived if the granted interest terminates, or is bought back by the former Aboriginal owners. Even the few remaining native title rights some communities possess - to collect bush tucker, fish etc - are going to be

removed. Where environmental laws such as hunting and fishing licenses overlap native title, native title will be extinguished.. There will be no right of veto over mining. The proposal to let State and Federal government laws and tribunals (modelled on the Waitangi Tribunal) into the area of native titles is on past experience very threatening to Aboriginal and Islander people. In general there is no evidence that native title is seen as a welcome addition to Australian law, but rather as a nuisance, to be tied down and confined as much as possible, so that privileged non-Aboriginal Australians can get back to business as usual with minimum inconvenience.

Nga Kaiwhakamarama i Nga Ture director Moana Jackson says the long-term strategy being developed by many Aboriginal people is aimed at changing the whole defining process of what land title really is. They don't accept the distinction between private and public, or 'Crown', land. Under English law all land, including private land, is freely held at the whim of the Crown. Hence the term "freehold".

In the wake of the Mabo decision, Aboriginal activists are working to shift the focus of the land debate to the question of whether the Crown or Aboriginal people should be the ultimate landlord.

This strategy has nothing to do with the lie put out by rednecks that indigenous people are going to dispossess people who, in good faith, bought their quarter acre section from the Crown which had stolen it. But it may be a step towards indigenous people being able to claim a resource base which the Crown currently benefits from.

Information adapted from Land Rights News, (available from PO Box 42921, Casuarina, NT 0811, Australia. A year's sub is \$US40 airmail or \$US30 surface) and from a talk given in occupied Otautahi by Moana Jackson.

WHAKAKORO:

Ngati Haua Seek Support for Occupation at Whangape

"Ko te maunga, te awa, me te iwi - he kopu puta taki"

- The mountain, the river, and the people - they are always as one (without the others, the people perish).

HISTORY OF WHAKAKORO

The two largest tribal confederations in Aotearoa are those of Ngapuhi and Tainui. Their histories are linked through two great ancestors, Ueoneone and Reitu.

In the long distant past, Ueoneone visited the Tainui territory of Waikato, where he met and was smitten by the beautiful Reitu. On his return to his home at Whangape, Ueoneone was seen to pine for his loved one.

One day, he climbed to the top of one of his mountains, a special place from which he was known to have called to his giant hawk, a magic bird of immense power and mystery, whenever he wished to travel to far away places.

On that mountaintop, Ueoneone instructed his great bird to fly to Waikato and to bring back his beloved Reitu. It is from their union that the two great confederations of Tainui and Ngapuhi established their most noble links.

That mountain is WHAKAKORO, and even today, when you call from its summit, you can be heard throughout the district.

There are many historical sites on WHAKAKORO, including waahi tapu (sacred sites), urupa (burial sites), and old papakainga (homesteads).

WHAKAKORO has always been noted as the traditional route to the kaimoana (seafood) beds and tauranga ika (fishing grounds) of the Ngati Haua people. Kaimoana re-

mains a staple part of the Ngati Haua diet today.

WHERE IS THIS PLACE?

WHAKAKORO is a land block with the Tasman Sea on its western shore, the Whangape harbour entrance to the south, Pawarenga to the east, and Ahipara lying some ten miles to the north.

Many of the blocks surrounding WHAKAKORO have over the past eighty years been in the hands of first the Lisle and then the Geddes families.

Today, Frank Geddes holds title to approximately 2,000 acres, 873 acres are under Maori title and a further 88 acres are under general title.

WHAT'S THE CURRENT PROBLEM?

Because the Geddes family have lived within the Whangape area for three generations, they had become part of the district and part of the Ngati Haua people.

Indeed, the Geddes family were honoured on many occasions by Ngati Haua, who regularly turned out in force to vote for 'their' Mr. Geddes during his tenure as a District Councillor. They also gave him and his wife the distinctive honour of being feted along with the most respected of kaumatua and kuia (elders) of the Ngati Haua tribe.

During that time, Ngati Haua had often asked Mr. Geddes whether he would sell WHAKAKORO to an outsider, because they considered the mountain to be a sacred treasure of the people.

They had also offered to buy the property back should Mr. Geddes ever decide to sell. They were reassured by Mr. Geddes' commitment not to sell the land and his promise

that if he did, it would be to Ngati Haua.

In August 1993 however, it came to the attention of Ngati Haua that WHAKAKORO had been offered for sale to a Lotto winner, Mr. Robert Buchanan.

When Ngati Haua heard that their maunga was being sold, they were incensed. They felt that their respect had been betrayed, that their honour had been slighted and that their simple faith in the promises of Mr. Geddes had been snubbed.

SO, JUST WHAT IS THE CASE?

- 1) Promises made by Mr. Geddes that he would never sell WHAKAKORO were broken.
- 2) Ngati Haua were not given notice of the sale and never given the option to purchase.
- 3) Ngati Haua should have been given the first right of refusal over land that included some of their most important historical sites and access to their traditional fishing grounds and sea food beds

WHAT'S NGATI HAUA DOING ABOUT IT?

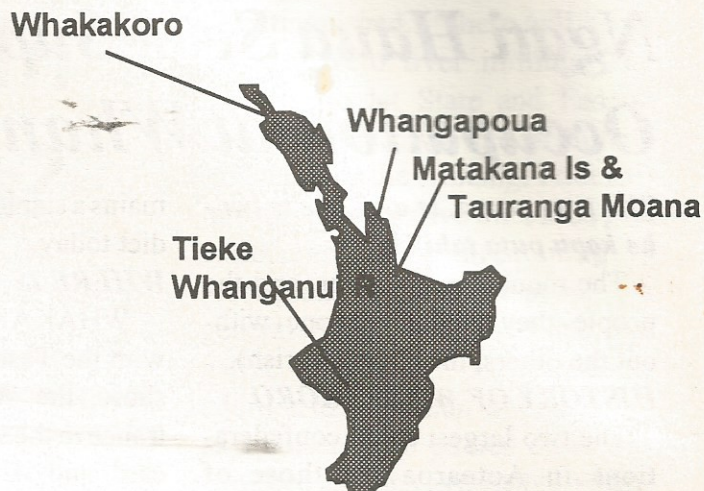
- 1) Ngati Haua have served a caveat to stop the sale of WHAKAKORO.
- 2) Ngati Haua are researching the land acquisition and transfer of titles.
- 3) Ngati Haua have offered to buy all of the Geddes land for a reasonable price.
- 4) Ngati Haua have occupied part of a disputed section of WHAKAKORO: the local Council has offered to sell the land to Mr. Geddes and threatened to evict Ngati Haua.
- 5) Ngati Haua are setting up a Trust to secure WHAKAKORO.
- 6) Ngati Haua are determined to take all steps necessary to bring WHAKAKORO back to the tribe.

Contact:

**WHAKAKORO ACTION
COMMITTEE, COMMUNITY
BOX 24A, HEREKINO.**

Reprinted (almost) verbatim from leaflet.

APPROXIMATE LOCATIONS OF STRUGGLES DOCUMENTED IN THIS ISSUE OF 'TREATY TIMES'



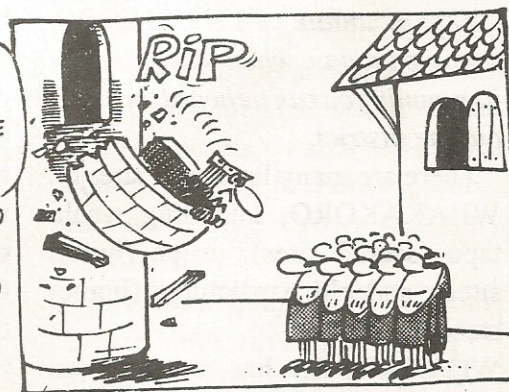
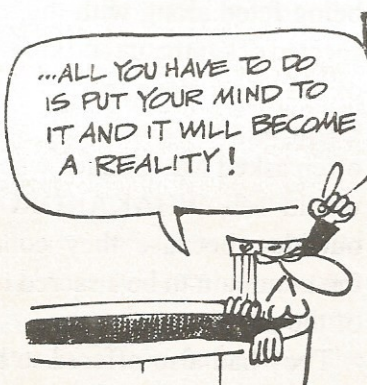
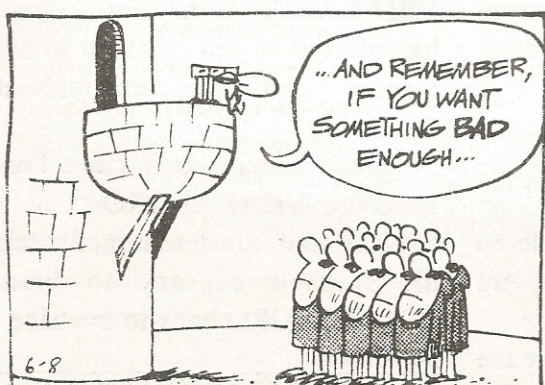
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Puzzle Answers: tea, rain, dog, belt, dice, way, tan.
(Don't celebrate Waitangi Day!)